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**NOTICE OF ALLOWANCE  
AND ISSUE FEE DUE**

ANITA W. MAGATTI  
SCHERING-PLUGH CORP., PATENT DEPT.  
2000 GALLOPING HILL ROAD  
KENILWORTH, NJ 07033

All communications regarding this application should give the serial number, date of filing, name of applicant, and batch number.

Please direct all communications to the Attention of "OFFICE OF PUBLICATIONS" unless advised to the contrary.

The application identified below has been examined and found allowable for issuance of Letters Patent. PROSECUTION ON THE MERITS IS CLOSED.

SC/SERIAL NO.	FILING DATE	TOTAL CLAIMS	EXAMINER AND GROUP ART UNIT	DATE MAILED
06/446,929	12/06/82	029	PHILLIPS, D	123 04/18/87
First Named Applicant	GOLD, J.		ELIJAH H.	

**TITLE OF INVENTION** 7-CARBOXYALKYLAMINOACYL-1,4-DITHIA-7-AZASPIRO(4,4)-NONANE-8-CARBOXYLIC ACIDS

ATTY'S DOCKET NO.	CLASS-SUBCLASS	BATCH NO.	APPLN. TYPE	SMALL ENTITY	FEES DUE	DATE DUE
US 2276	424-177,000	W92	UTILITY	NO	\$500.00	07/18/87

The amount of the issue fee is specified by 37 C.F.R. 1.18 as follows: for an original or reissue patent, except for a design or plant patent, \$500; for a design patent, \$175; and for a plant patent, \$250. If the applicant qualifies for and has filed a verified statement of small entity status in accordance with 37 C.F.R. 1.27, the issue fee is one-half the respective amount aforementioned. The issue fee due printed above reflects applicant's status as of the time of mailing this notice. A verified statement of small entity status may be filed prior to or with payment of the issue fee. However, in accordance with 37 C.F.R. 1.28, failure to establish status as a small entity prior to or with payment of the issue fee precludes payment of the issue fee in the amount so established for small entities and precludes a refund of any portion thereof paid prior to establishing status as a small entity.

THE ISSUE FEE MUST BE PAID WITHIN THREE MONTHS FROM THE MAILING DATE OF THIS NOTICE as indicated above. The application shall otherwise be regarded as ABANDONED. The issue fee will not be accepted from anyone other than the applicant; a registered attorney or agent; or the assignee or other party in interest as shown by the records of the Patent and Trademark Office. Where an authorization to charge the issue fee to a deposit account has been filed before the mailing of the notice of allowance, the issue fee is charged to the deposit account at the time of mailing of this notice in accordance with 37 C.F.R. 1.311. If the issue fee has been so charged, it is indicated above.

In order to minimize delays in the issuance of a patent based on this application, this Notice may have been mailed prior to completion of final processing. The nature and/or extent of the remaining revision or processing requirements may cause slight delays of the patent. In addition, if prosecution is to be reopened, this Notice of Allowance will be vacated and the appropriate Office action will follow in due course. If the issue fee has already been paid and prosecution is reopened, the applicant may request a refund or request that the fee be credited to a Deposit Account. However, applicant may wait until the application is either found allowable or held abandoned. If allowed, upon receipt of a new Notice of Allowance, applicant may request that the previously submitted issue fee be applied. If abandoned, applicant may request refund or credit to a Deposit Account.

In the case of each patent issuing without an assignment, the complete post office address of the inventor(s) will be printed in the patent heading and in the Official Gazette. If the inventor's address is now different from the address which appears in the application, please fill in the information in the spaces provided on PTOL-85b enclosed. If there are address changes for more than two inventors, enter the additional addresses on the reverse side of the PTOL-85b.

The appropriate spaces in the ASSIGNMENT DATA section of PTOL-85b must be completed in all cases. If it is desired to have the patent issued to an assignee, an assignment must have been previously submitted to the Patent and Trademark Office or must be submitted not later than the date of payment of the issue fee as required by 37 C.F.R. 1.334. Where there is an assignment, the assignee's name and address must be provided on the PTOL-85b to ensure its inclusion in the printed patent.

Advance orders for 10 or more printed copies of the prospective patent can be made by completing the information in Section 4 of PTOL-85b and submitting payment therewith. If use of a Deposit Account is being authorized for payment, PTOL-85c should also be forwarded. The order must be for at least 10 copies and must accompany the issue fee. The copies ordered will be sent only to the address specified in section 1 or 1A of PTOL-85b.

Note attached communication from Examiner.

**IMPORTANT**

ATTENTION IS DIRECTED TO 37 C.F.R. 1.334

This notice is issued in view of  
applicant's communication filed \_\_\_\_\_

THE PATENT WILL ISSUE TO APPLICANT  
UNLESS AN ASSIGNEE IS SHOWN IN  
ITEM 3 ON FORM PTOL-85b, ATTACHED



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SERIAL NUMBER	FILING DATE	FIRST NAMED APPLICANT	ATTORNEY DOCKET NO.

EXAMINER

ART UNIT	PAPER NUMBER

DATE MAILED:

This is a communication from the examiner in charge of your application

COMMISSIONER OF PATENTS AND TRADEMARKS

1.  THIS IS AN ATTACHMENT TO THE NOTICE OF ALLOWANCE AND BASE ISSUE FEE DUE, PTOL 85.
2.  All the claims being allowable, PROSECUTION ON THE MERITS IS CLOSED in this application. If not attached hereto, a Notice of Allowance or other appropriate communication will be sent in due course.
  - A.  Note the attached PTO-152, Notice of Informality, which indicates that the declaration (or oath) is deficient and that a substitute is required. The substitute declaration (or oath) **MUST BE SUBMITTED WITHIN THE THREE MONTH STATUTORY PERIOD SET FOR PAYMENT OF THE BASE ISSUE FEE IN THE "NOTICE OF ALLOWANCE AND BASE ISSUE FEE DUE"** (PTOL-85), preferably with and attached to the base issue fee. Note that the statute does not permit extension of the three month period set for payment of the base issue fee. Failure to timely file the substitute declaration (or oath) will result in **ABANDONMENT** of the application. The transmittal letter accompanying the declaration (or oath) should indicate the following in the upper right hand corner:  
Issue Batch Number; Date of the Notice of Allowance, and Serial Number.
  - B.  Formal drawings are now required and **MUST BE SUBMITTED WITHIN THE THREE MONTH STATUTORY PERIOD SET FOR PAYMENT OF THE BASE ISSUE FEE IN THE "NOTICE OF ALLOWANCE AND BASE ISSUE FEE DUE"** (PTOL-85). Note that the statute does not permit extension of the three month period set to pay the base issue fee. Failure to timely submit the drawings will result in **ABANDONMENT** of the application. The drawings should be submitted as a separate paper with a transmittal letter which is addressed to the Official Draftsman and which indicates the following in the upper right hand corner:  
Issue Batch Number; Date of the Notice of Allowance, and Serial Number.
  - C.  The claims are allowed in view of:
    - a.  Applicant's communication filed \_\_\_\_\_.
    - b.  The interview summarized on the attached EXAMINER INTERVIEW SUMMARY RECORD, PTOL-413.
    - c.  The attached Examiner's Amendment.
    - d.  An Examiner's Amendment which will follow in due course.
  - D.  The allowed claims are \_\_\_\_\_.
3.  Note the attached Examiner's Statement of Reasons for Allowance.
4.  Note attached NOTICE OF REFERENCES CITED, PTO-892, which is part of this communication. The listed references are considered to be pertinent to the claimed invention, but the claims are deemed to be patentable thereover.
5.  Note attached LIST OF ART CITED BY APPLICANT, PTO-1449.
6.  The drawings filed on \_\_\_\_\_ are acceptable as filed.  are acceptable subject to correction as indicated on the attached Notice re Drawings, PTO-948. In order to avoid **ABANDONMENT** of this application, correction is required. Corrections can only be made in accordance with the instructions set forth in the attached letter "**INFORMATION ON HOW TO EFFECT DRAWING CHANGES**". PTO-1474.
7.  The  proposed drawing correction and/or the  proposed additional or substitute sheet(s) of drawings filed on \_\_\_\_\_ has (have) been approved by the examiner. Applicant is reminded that in order to avoid abandonment of this application, execution of the proposed changes or submission of additional or substitute drawings **MUST** be made in accordance with the instructions set forth in the letter, "**INFORMATION ON HOW TO EFFECT DRAWING CHANGES**", PTO-1474, attached to Paper No. \_\_\_\_\_.
8.  The proposed drawing correction, filed \_\_\_\_\_, has been approved. However, the Patent and Trademark Office no longer makes drawing changes. It is now **applicant's responsibility** to ensure that the drawings are corrected. Corrections are required and **MUST** be effected in accordance with the instructions set forth on the attached letter "**INFORMATION ON HOW TO EFFECT DRAWING CHANGES**", PTO-1474.
9.  In order to avoid **ABANDONMENT**, the drawing informalities noted on the Notice re Drawing, PTO-948, attached to Paper No. \_\_\_\_\_ must now be corrected. Applicant is reminded that the corrections can only be made in accordance with the instructions set forth in the letter "**INFORMATION ON HOW TO EFFECT DRAWING CHANGES**", PTO-1474, attached to the PTO-948.
10.  Acknowledgment is made of the claim for priority under 35 U.S.C. 119. The certified copy has;  been received.  not been received.

been filed in parent application, Serial No. \_\_\_\_\_ filed on \_\_\_\_\_.

Serial No. 446,929

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Art Unit 123

The art does not render the instant claims obvious nor anticipate.

Any inquiry concerning this communication should be directed to Examiner Phillips at telephone number 703-557-3920.

4-10-84

*Delbert R. Phillips*  
DELBERT R. PHILLIPS  
PRIMARY EXAMINER  
ART UNIT 123